

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.09 FF, Closed Area No. 52-D, promulgated on January 29, 1990, is repealed and replaced with the following rule:

TEXT OF RULE: 95.09 FF, Closed Area No. 52-D, Southwestern Petit Manan Point, Steuben.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of Dyer Bay, Steuben, lying easterly (shoreward) of a line drawn in a northerly direction from the most southwestern tip of Petit Manan to the most westerly point on Yellow Birch Head; thence running to a red painted post situated on the westernmost prominence of Petit Manan Point (about 500 yards southwesterly of Over Point).

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204). Shellfish harvesting may be subject to municipal ordinance.

EFFECTIVE DATE: October 30, 1990

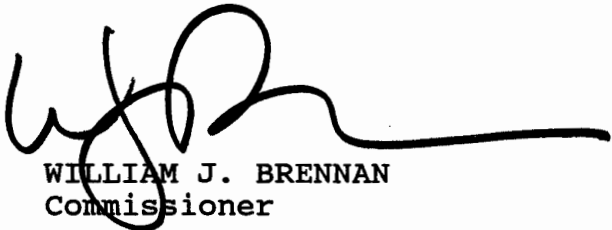
AGENCY CONTACT PERSON: Robert D. Lewis
Department of Marine Resources
State House Station #21
Augusta, ME 04333

BANGOR DAILY NEWS
November 2, 1990

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.09 FF, Closed Area No. 52-D, Southwestern Petit Manan Point, Steuben, promulgated on January 29, 1990, and replaces it with a new rule with the same name and number. The new rule decreases the size of the old closure by opening the area between Clam Point and Over Cove (including Clubhouse Cove, so called). The area from Clubhouse Cove, so called, to the southern tip of Petit Manan remains closed.

Department personnel have sampled the waters of the area that remains closed and found that they are subject to intermittent microbiological pollution. Therefore, clams, mussels, oysters and quahogs taken from the closed area pose a threat to the public health.



WILLIAM J. BRENNAN
Commissioner

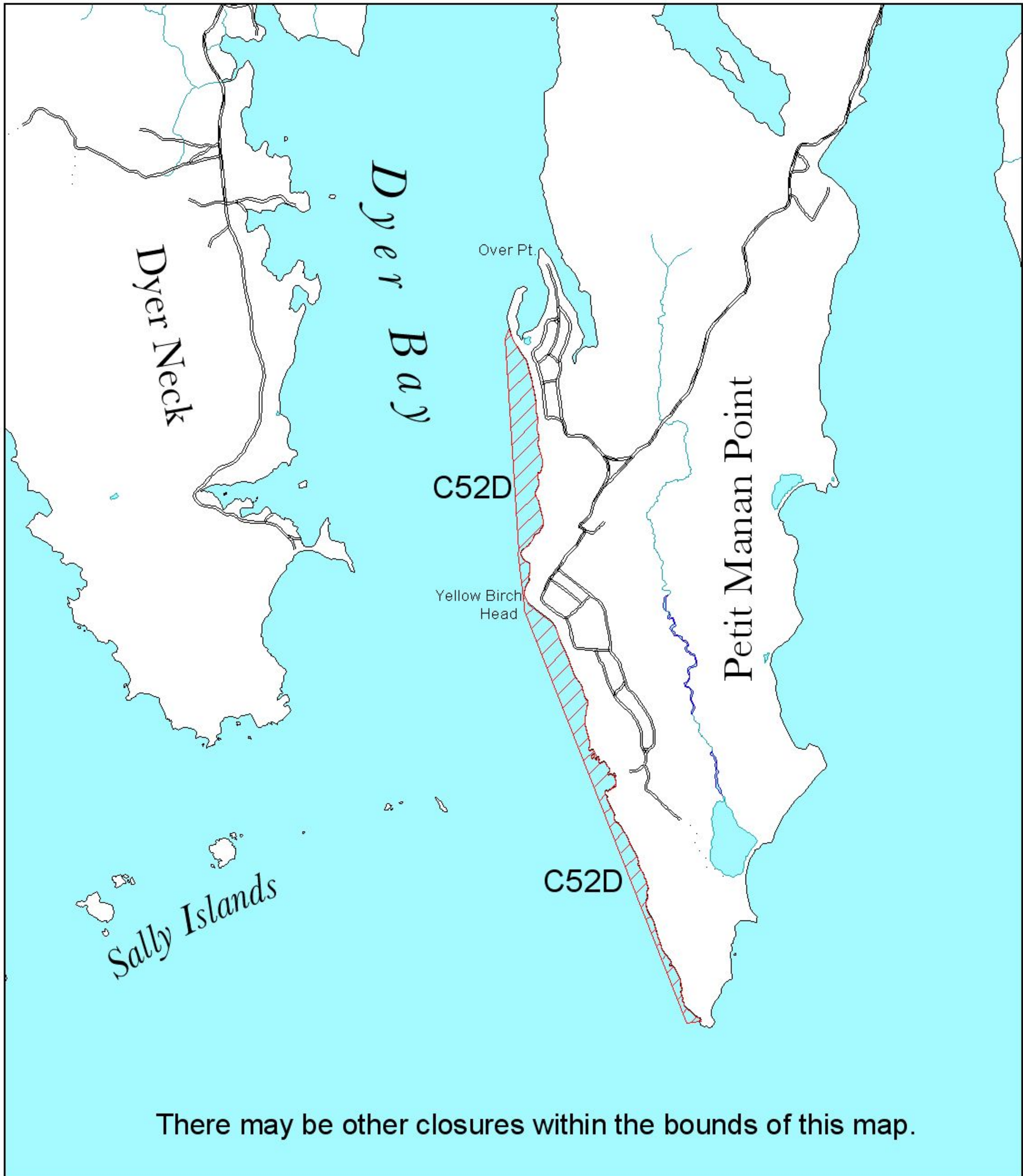


Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

For: Steuben

C52D - Southwestern Petit Manan Point, Steuben 10/30/90



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